

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

Johnson and Pontzer

SERIAL NO.: 09/746,919

FILED: December 22, 2000

FOR: INTERFERON-TAU COMPOSITIONS AND
METHODS OF USE

EXAMINER: Seharaseyon

ART UNIT: 1647

Conf No.: 2742

RECEIVED

APR 16 2004

**PETITION UNDER 37 CFR § 1.313(c)
WITHDRAWAL FROM ISSUE - ISSUE FEE PAID**

OFFICE OF PETITIONS

Mail Stop 313(c)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. On March 31, 2004 Applicants submitted a petition to withdraw the above-identified application be withdrawn from issue. The issue fee was paid on March 1, 2004.
2. The USPTO mailed a Decision Dismissing Petition Under 37 C.F.R. §1.138(c) indicating that express abandonment will not be recognized since the Application was previously published.
3. Applicants herewith resubmit this petition requesting that the above-identified patent be withdrawn from issue.
4. Accordingly, this petition includes:
 - i. a written declaration of abandonment under 37 C.F.R. §1.138(a);
 - ii. Please charge \$130.00 to cover the petition fee (37 CFR §1.17(h)) to Deposit Account Number 50-2207.

Deposit Account No. 50-2207.

Respectfully submitted,

Judy Mohr

Date: April 16, 2004

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Registration No. 38,563

Correspondence Address:

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650.838.4300

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